

ESTTA Tracking number: **ESTTA531697**

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Application Serial No.	79105536
Applicant	Elliott, Geraldine

## Notice of Appeal

Notice is hereby given that Elliott, Geraldine appeals to the Trademark Trial and Appeal Board the refusal to register the mark depicted in Application Serial No. 79105536.

Applicant has filed a request for reconsideration of the refusal to register, and requests suspension of the appeal pending consideration of the request by the Examining Attorney.

The refusal to register has been appealed as to the following classes of goods/services:

- Class 009.  
All goods and services in the class are appealed, namely: Motion picture films featuring comedy, drama, action, adventure and/or animation, motion picture films for broadcast on television featuring comedy, drama, action, adventure and/or animation; prerecorded CDs, CD-ROMS and digital versatile discs featuring music, comedy, drama, action, adventure, animation or games; computer programs, namely, software linking digitized video and audio media to a global computer information network; video and computer game programs; video game cartridges and cassettes; decorative magnets; mouse mats; accessories for mobile telephones; spectacles; sunglasses; recordable data disks
- Class 016.  
All goods and services in the class are appealed, namely: Printed matter and paper goods namely, books featuring characters from animated, action adventure, comedy and/or drama features, comic books, children's books, magazines featuring characters from animated, action adventure, comedy and/or drama features, coloring books, children's activity books; stationery, writing paper, envelopes, notebooks, diaries, note cards, greeting cards, trading cards; lithographs; pens, pencils, cases therefor, erasers, crayons, markers, colored pencils, painting sets, chalk and chalkboards; decals, heat transfers; posters; mounted and/or unmounted photographs; book covers, book marks, calendars, gift wrapping paper; paper party decorations - namely, paper napkins, paper doilies, paper place mats, crepe paper, paper hats, invitations, paper table cloths, paper cake decorations; printed transfers for embroidery or fabric appliques; printed patterns for costumes, pajamas, sweatshirts and t-shirts; paper photo frames
- Class 025.  
All goods and services in the class are appealed, namely: Clothing and footwear for men, women and children - namely, shirts, t-shirts, sweatshirts, jogging suits, trousers, pants, shorts, tank tops, rainwear, cloth bibs, skirts, blouses, dresses, suspenders, sweaters, jackets, coats, raincoats, rainwear, umbrellas, snow suits, ties, robes, hats, caps, sunvisors, belts, scarves, sleepwear, pajamas, lingerie, underwear, boots, shoes, sneakers, sandals, booties, slipper socks, swimwear; masquerade and Halloween costumes and masks sold in connection therewith
- Class 028.  
All goods and services in the class are appealed, namely: Toys and sporting goods, including games and playthings - namely, action figures and accessories therefor; plush toys; balloons; bathtub toys; ride-on toys; equipment sold as a unit for playing card games; toy vehicles; dolls; flying discs; electronic hand-held game unit; game equipment sold as a unit for playing a board game, a card game, a manipulative game, a parlor game, a parlor-type computer game, an action type target game; stand alone video output game machines; jigsaw and manipulative puzzles; paper face masks; skateboards; ice skates; water squirting toys; balls - namely, playground balls, soccer balls, baseballs, basketballs; baseball gloves; swimming floats for recreational use; kickboard flotation devices for recreational use; surfboards; swim boards for recreational use; swim fins; toy bakeware and toy cookware; toy banks; Christmas tree ornaments
- Class 035.  
All goods and services in the class are appealed, namely: Retail store and on-line retail services featuring pre-recorded DVDs, pre-recorded CDs, computer games, clothing, toys, dolls, games, candy, bags,

figurines, costumes, sporting goods, luggage, purses, electronics, videos, books, music, frames, jewellery, watches, stationery, crafts, tableware, personal care items, gift items and souvenirs and related accessories

- Class 041.

All goods and services in the class are appealed, namely: Entertainment services in the nature of a live-action, comedy, drama and/or animated television programs; production of live-action comedy, drama and/or animated television programs; live-action , comedy, drama and/or animated motion picture theatrical films; production of live-action , comedy, drama and/or animated motion picture theatrical films; and theatrical performances both animated and live action; and providing information for and actual entertainment via an electronic global computer network in the nature of a live-action, comedy, drama and/or animated television programs; production of live-action comedy, drama and/or animated television programs; a live-action, comedy, drama and/or animated motion picture theatrical films; production of live-action, comedy, drama and/or animated motion picture theatrical,films; and theatrical performances both animated and live action

Respectfully submitted,  
/kurt m. rylander/  
04/11/2013

**Kurt M. Rylander**

**Attorney of Record**

**RYLANDER & ASSOCIATES PC**

**P.O. Box 250**

**Vancouver, WA 98666**

**UNITED STATES**

**rylander@rylanderlaw.com, beatty@rylanderlaw.com, fox@rylanderlaw.com**

**3607509931**